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PROPOSED ARMS SALES TO THE KINGDOM OF JORDAN

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BEFORE THE

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PROPOSED ARMS SALES TO THE KINGDOM OF JORDAN

THURSDAY, OCTOBER 10, 1985

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met at 9:38 a.m., in room SD–419, Dirksen Senate Office Building, Hon. Richard G. Lugar (chairman of the committee) presiding.

Present: Senators Lugar, Kassebaum, Boschwitz, Pressler, Murkowski, Evans, Pell, Sarbanes, Cranston, Dodd, Eagleton, and Kerry.

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee is called to order.

Today, we will consider the administration's proposed arms sale to the Kingdom of Jordan.

We are delighted that Secretary Shultz is here to consult with the committee on the proposed sale during the 20-day period of informal, advanced notification.

We look forward, Mr. Secretary, to your discussion of our overall Middle East policy and the peace process as a context in which to consider the proposed sale to Jordan.

As we know, the Congress included its views on the sale of advanced weapon systems to Jordan in the foreign aid authorization legislation enacted earlier this year. The language in this legislation links congressional consideration of major arms sales to the public commitment by Jordan that it recognizes the State of Israel and that it will negotiate promptly and directly with Israel under the basic tenets of U.N. Resolutions 242 and 338.

It also required a Presidential certification that these steps have been taken when a proposed major sale is notified to the Congress.

Mr. Secretary, I mention the language of the legislation because it is relevant to the events that have taken place over the past few weeks.

At the United Nations, King Hussein said that he is "prepared to negotiate under appropriate auspices with the Government of Israel, promptly and directly, under basic tenets of Security Council Resolutions 242 and 338." He also indicated, however, that in the Jordanian view, the proper auspices under which to begin the negotiations would be an international conference hosted by the Secretary General of the United Nations.

When the King visited Washington last week, he stated that Jordan recognized Israel; that the status of belligerency with Israel

has ended; that it accepts U.N. Resolutions 242 and 338; and that it would use U.S. arms solely for defensive purposes.

These statements appear to indicate positive movement in the Middle East peace process.

Mr. Secretary, the committee is most interested in your interpretation of these events. The committee, I might add, is also interested in the administration's assessment of the effect that the proposed sale would have on country military force ratios in the Middle East.

This is an issue of importance not only because it affects our relations with friendly countries in the Middle East, but also because it can have an impact on how the executive and legislative branches cooperate on future arms sale issues.

I am confident the high degree of cooperation that we have enjoyed in the past will continue.

I will need to mention at the outset that Secretary Shultz will need to depart at about 11 a.m.

It is my intention to convene a brief business meeting at that time or shortly thereafter to consider the items that were circulated to all members yesterday and which appear on the committee agenda before all members.

I have asked Secretary Shultz at the outset of his testimony this morning to give us a short briefing on current events in the Middle East with regard to the ship hijacking and the aftermath and he has consented to do that.

But before calling upon the Secretary, I would like to ask Senator Pell, the ranking minority member of our committee, if he has an opening statement.

Senator Pell.

Senator PELL. Thank you, Mr. Chairman.

I join you in welcoming Secretary Shultz to our meeting this morning.

This hearing occurs against a backdrop of another cycle of Middle East violence. In the past week, we have witnessed the Lanarca murders, the Tunis bombing, the Tabah killing, and now, with passengers just released, the hijacking of a vessel with 400 passengers aboard.

These events and the terrorist threat in that volatile region of the world underscore the desperate need for peace between Israel and her neighbors.

The abduction of four Soviet Embassy officials, the brutal slaying of one of them, should also serve notice on all nations that not one of us is immune to the terrorist threat, not one of us can afford to turn a blind eye, or even worse, to provide aid and comfort, to those who employ such tactics.

We abhor terrorists. We must not let them prevail. Unfortunately, they prosper in the absence of a comprehensive peace.

Thus, it is imperative that we work with those striving for that peace, and Jordan really is central to the possibility of that peace reaching fulfillment.

In the past, we have supported major economic aid for Jordan. But I have been skeptical of the wisdom of a major arms package until Jordan has come to the peace table and negotiated directly with Israel. That is provided for in the legislation, now law, saying

that any arms sale to Jordan, "must be accompanied by a Presidential certification of Jordan's public commitment to the recognition of Israel and to negotiate promptly and directly with Israel under the basic tenets of resolutions 242 and 338."

Given these facts, and given the fact that the Arab Summit of Fez seemed to throw more cold water on Jordan's peace feelers, I am puzzled by the timing of the administration's notification of its intent to go forward with the sale at this point.

For this Senator, at least, any arms sale package should be tied closely to concrete, demonstrable, progress in the peace process. Absent such progress, it is difficult to understand the justification for more arms for Jordan.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Pell.

Secretary Shultz, we welcome you and ask that you proceed with your testimony and your report to us on the current events.

STATEMENT OF HON. GEORGE P. SHULTZ, SECRETARY OF STATE

Secretary SHULTZ. Thank you, Mr. Chairman.

As you and Senator Pell have said, once again in the Middle East we see a terrorist action, this time in the form of hijacking a ship. Again we have murder and mistreatment of people. This is unacceptable.

I believe we have to insist and continue to insist that there be no sanctuary for these people, that there be no safe haven, that there be no escape from justice. That is the policy of our Government. That is what we have been insisting on and will continue to pursue as we follow on the effort to bring those who have perpetrated this act to justice.

I don't think, as far as describing the details are concerned, I need to go into them as they have been pretty well covered in the press. But I think, once again, we see terrorism and terrorism must have costs to those who perpetrate it. We must do everything we can to bring it to an end.

Mr. Chairman and members of the committee, I welcome the opening statements that have been made, and, in particular, the references to King Hussein's statements over the years and recently which are certainly moves in the direction of peace in the Middle East, which we all recognize is so essential.

I certainly welcome this opportunity to share with you some observations on developments in the Middle East, with particular reference to the peace process and the recent, informal notification to Congress of an arms sale to Jordan.

Mr. Chairman, peace and stability in the Middle East remain a key national interest. By quirk of history and geography, events and trends which destabilize that region and bring it closer to armed conflict have profound implications for our own security and well-being.

Given the complexity of the historical, social, ethnic, and religious factors at play, and the magnitude of the stakes as perceived by the various actors, the threats to peace and stability in the region are manifold.

Much as we would wish it, there is no one single underlying issue. There is no one central problem to resolve. The world, and certainly the Middle East, is simply not that neat a place.

However, some problems are especially dangerous. They pose a threat to peace in a way that is immediate, broad, and enduring.

This administration, like so many of its predecessors, has judged the troubled relationship between Israel and its Arab neighbors to be one such problem.

But that, of course, is not the only reason why the issue of Middle East peace has demanded our attention.

We have also, over the years, come to view our relationship with Israel as symbolic of our commitment to shared democratic values. I need hardly belabor the point before this committee, but simply reaffirm and underscore the singular depth and enduring strength of our relationship with Israel.

Finally, we have been moved to action by the suffering on all sides, but particularly the pain and loss endured by innocent victims, Israelis and Palestinians alike, and also so many Americans.

For all these reasons, we have resolved to contribute in whatever way we can to achieving a just and lasting peace.

This administration has been engaged in a dialog with the parties about the kind of steps that need to be taken to move the process forward. In the past several months, and particularly during King Hussein's recent visit, we have been able to come closer than ever before to agreement on the kinds of steps that will be required.

It has been this administration's consistent view that the parties must agree to resolve their differences through direct negotiations. The Israeli Government also favors this approach. Syria rejects it. Jordan, however, under the determined and courageous leadership of King Hussein, has risen to the occasion. He has welcomed the prospect of entering negotiations with Israel, "promptly and directly," as he said at the White House on September 30, in an, as he said, "environment free of belligerent and hostile acts."

I know he spoke to Members of the Senate only a few days ago about his dedication to peace, a peace that he knows Israel must share.

Arab governments in the past have been reluctant to enter negotiations with Israel without a guarantee of the final outcome. Now, King Hussein has taken a big, psychological step, a step forward. He is ready to engage in a negotiating process, knowing that the outcome will depend on a tough process of bargaining among the parties.

That is a big development—that the emphasis is on the process and on getting it started.

I have been extremely heartened to hear King Hussein speak in these terms. I am sure you have been as well. Problems remain, however. They relate, for the most part, to the question of Palestinian representation.

Jordan must be able to share the burden and challenge of peacemaking with credible representatives of those on the Arab side most directly concerned, the Palestinian people.

The administration's policy regarding recognition of and negotiation with the PLO has been clear and consistent. The PLO must

first accept resolutions 242 and 338 and recognize Israel's right to exist. We have long said, however, that the Palestinian people must be fully involved in this process. They should participate at every stage of the negotiating process, and, in fact, that is universally recognized and is explicitly stated in the Camp David Accords. After all, it is their legitimate rights as a people, as well as the security of all states in the region, that these negotiations must address.

King Hussein has spoken of the need for an international conference to provide the broad support he seeks before he enters into negotiations with Israel. We have not supported this idea, nor have we seen any utility in engaging in a separate dialog with Jordanians and Palestinians if such steps do not lead to direct negotiations with Israel.

In other words, there are these various processes and suggestions of one kind or another that have been made, and in our view, the name of the game is to get direct negotiations going. Things that lead to that we regard as positive; things that do not are something else again.

Problems obviously remain, but they are not insurmountable. Neither Israel nor Jordan wishes to squander the historic opportunity of the moment. Neither Israel nor Jordan believes there is anything to be gained by sliding back into hopeless confrontation. With dedication, creativity, and simple hard work, we will continue to address these issues over the next few months, and I am convinced that our objective of beginning direct negotiations in the near future is within reach.

Tactical and procedural questions are negotiable. They are the stuff of what we call the peace process. Violence and terror are not.

The mounting violence which has afflicted the region in recent weeks underlines the precariousness of the process. Organizations that seek legitimacy as partners in the peace process continue to commit and take credit for violent acts that threaten its very existence.

There are also forces—and I am referring to states, organizations, and so-called movements—which are unalterably opposed to the achievement of peace. They are dedicated to destroying its prospects, just as they destroy lives—through intimidation and terror. They will not deter us, however, from the pursuit of peace.

We, for our part, have a clear moral commitment to help those whom we have encouraged along the path of peace to defend themselves from the enemies of peace. I am referring here, in the first instance, to the State of Israel and the Hashemite Kingdom of Jordan.

Successive administrations, with the full support of Congress, have, over the years, assured that Israel would have the military capability to defend itself against any realistic combination of hostile forces. The defense posture of Jordan has been, and remains, far more precarious.

The President has recently informed you of his intention to take steps to try to remedy that situation. And in that regard, I would like to make three main points.

First, Jordan has legitimate defense needs—needs that have been exacerbated by King Hussein's courageous moves toward the negotiating table.

Second, it has been to the United States that Jordan has turned for many years to help it with its defense. To refuse to meet Jordan's needs at this juncture would not only be a real break in continuity, but would also be a signal that the United States does not fully support the King's peace efforts.

The United States remains committed to assuring Israel's qualitative military edge. The package of arms for Jordan that we have proposed does not threaten Israel's security.

Jordan has legitimate defense needs. The principal conventional threat to it comes from the vastly more powerful Syria, supplied, as we all know, by the Soviet Union, which opposes King Hussein's efforts to move to negotiations with Israel.

In 1970, Syria invaded Jordan. In 1980, Syria massed its troops along the border with Jordan. Syria holds major quantitative advantages over Jordan in personnel—5 to 1; tanks—4 to 1; armored personnel carriers—2.5 to 1; artillery—4 to 1; and combat aircraft—5 to 1.

Further, since King Hussein announced his peace initiative last November, Jordan has been subjected to an escalating campaign of terror. A Jordanian diplomat in Turkey was assassinated, and the Jordanian Embassy in Rome attacked by rocket. Three Jordanian airliners have been either bombed or hijacked. And Jordanian airline offices were attacked in Athens and Madrid.

Without any doubt, the enemies of peace are trying to stop King Hussein from reaching a settlement with Israel, and there is every reason to believe they will intensify their efforts.

The U.S. arms sale to Jordan represents a powerful, political signal of American support for Jordan that will strengthen the King's ability to stand up to these attacks.

Jordan's most serious military deficiency is its inability to provide adequate air defense against an external attack and, thereby, resist military intimidation by the adversaries of peace.

Although Royal Jordanian Air Force interceptor pilots would resist aggression courageously, they could rather easily be overwhelmed by superior numbers of more advanced Soviet fighters, and Jordan's surface to air missile system would be unable to defend the country against a determined air campaign.

The package of arms that we propose to sell to Jordan, therefore, focuses on air defense. It contains advanced fighter aircraft and improved air-to-air and surface-to-air missiles, to upgrade Jordan's increasingly obsolete equipment.

The United States' close defense relationship with Jordan has developed over 35 years with eight U.S. administrations. We have become Jordan's main arms supplier.

On four previous occasions, however, when the United States either denied or placed too many preconditions on military sales to Jordan, Jordan went elsewhere. As a sovereign state, Jordan is impelled to provide for its security and has made clear it will do what is necessary to meet this need.

A major Soviet role in Jordan, of course, would constitute a serious strategic setback for the United States and for Israel.

Finally, the arms that we propose to sell to Jordan pose no threat to Israel. Jordan has proven, over the past 15 years, that it is determined to insure that terrorists do not attack Israel from Jordanian territory. The border that it shares with Israel—the longest Israel has with any of its neighbors—has been incident free for many years. Israel has been able to place confidence in Jordan to prevent infiltration along their common border. In fact, Prime Minister Peres, in commenting publicly last week on why Jordan was not attacked, said that Jordan worked actively to prevent terrorist acts from being launched from or through Jordan.

This administration has an unswerving commitment to helping ensure Israel's security, survival, and well-being, and to maintaining Israel's decisive advantage over any combination of potential adversaries. According to U.S. intelligence community assessments, Israel's edge over potential Arab adversaries will continue to widen, even if there are increases in Arab capabilities.

Israel's long-term security, however, can only come through peace with its neighbors, not military superiority. A strong and stable Jordan, able to defend itself against radical pressures, is in Israel's interest as well as our own.

The President told King Hussein in May that he could count on us for the economic and security assistance Jordan would need to address the risks that it is taking. The Congress has provided an important package of economic aid for Jordan. Now it is time to address Jordan's proven security needs as the King tries to move ahead in the peace process in the face of threats from those who oppose the process.

This administration firmly believes that such support from the United States for Jordan, as represented by our arms package, is an absolute necessity if we are to ultimately achieve the peace in the Middle East which we all so fervently desire.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Secretary Shultz.

Without objection, the Chair will ask that the questions be 5 minutes per Senator. The Secretary will need to leave at approximately 11 a.m. If we do have a rollcall vote, we will do our best to continue the questioning during the rollcall vote while members come back and forth.

I will ask the Sergeant at Arms to commence the 5 minutes now.

Mr. Secretary, in practical terms, can the peace process continue if the arms sale to Jordan is stopped by congressional action?

Secretary SHULTZ. I think it makes it very difficult. As I said in my statement, as King Hussein moves toward direct negotiations with Israel, as he has stated publicly that he wishes to do, he faces people who oppose those moves, who oppose the idea of Jordan making peace with Israel, and those who oppose him, who oppose peace, are willing to take violent acts, as the record shows. He does have a strong opponent of what he is trying to do right across his border.

So, I think the time that he needs to feel that sense of support is now. If he feels that he does not have any support, then it is very discouraging.

The CHAIRMAN. Mr. Secretary, I suppose the question that could be raised by many Americans is why is the peace process impor-

tant? Why did you personally become involved in the process in this particular year and find it at all a promising endeavor?

Secretary SHULTZ. Well, the peace process has commanded our attention over many years for reasons of our strategic interests in the region, for reasons of our close friendship with Israel, and for reasons of the involvement that we tend to have in the problems of that area.

So, for strategic reasons, for our relationship with Israel, because of these involvements, we have worked for peace in the Middle East.

I would like to believe that, generally, we seek to be part of the answer anywhere in the world, but particularly in the Middle East. It has been of great concern, going back through every administration in the post-World War II period. Right now, having the great achievement of the Camp David Accords and the peace treaty with Egypt there, and, of course, we continually work to try to warm up the peace between Egypt and Israel, that is a fundamental building block in the peace process. But right now, we believe there is an opportunity in potential negotiations between Israel and Jordan with the Jordanian delegation including credible Palestinians. Of course, that is a problem: Who are those people and how do we identify them? They have to be there.

So, we think there are opportunities here.

King Hussein's attitude is that way, and motivations. President Mubarak supports that, and Prime Minister Peres has also spoken eloquently of this opportunity.

So we have been trying, as we can, to develop the situation and to make suggestions and work on it. I think there has been a definite movement.

As you know, President Mubarak and King Hussein were here recently. Prime Minister Peres will be here next week. I spent part of yesterday with Foreign Minister Shamir. So there is a lot of activity.

The CHAIRMAN. Mr. Secretary, you pointed out the large disparity between the air defense situations of Jordan and Syria, and indicated that the King is determined to try to defend his country and obtain the arms.

How certain are you, in the event the United States does not choose to make these sales, first of all that Jordan will proceed to attempt to buy this equipment, and that Jordan can find the money anywhere to do so? Finally, what difference does it make in terms of the security of Israel however the arms are obtained?

Secretary SHULTZ. I am sure that Jordan will seek to look to its security needs. Every nation must do that.

Of course, if Jordan's ability to move toward peace with Israel is severely crippled, then those who seek to block it have less to concern themselves about. But that is thwarting the very thing that we are trying to work for.

Jordan can turn to other countries to seek arms. It much prefers the United States. We have had a close partnership with Jordan, and I think it is a good thing for us to have that kind of involvement.

Obviously, they have purchased arms from the United Kingdom. They have made some purchases from the Soviet Union. The prob-

lem of paying for arms is always difficult. They are expensive. They have money of their own. They have contributions from other states, and, of course, the terms of sale are of great importance, and that will vary among countries.

The CHAIRMAN. Thank you very much.

Senator Pell.

Senator PELL. Thank you, Mr. Chairman.

In this same context, would it not be correct to say that Jordan has a fair supply of arms? I believe she imported $3 billion worth in the years 1981 to 1983. What is the justification for her needing more arms than she presently has, which is a pretty full supply?

Secretary SHULTZ. The general situation was outlined in the Middle East Arms Transfer Study that we have briefed around. But I think the essence of it is in the relative force levels that I cited and, in particular, given the advanced aircraft and capabilities that Syria has, the need for Jordan is to have antiaircraft defensive means that will provide a deterrent to Syrian aggression. In any military operation, if your opponent is able to establish quickly complete air superiority, it makes it very difficult for you, and that is what they are trying to prevent, and that is what they do not have.

Senator PELL. In your view, without this aid package, then, Syria would have complete air superiority?

Secretary SHULTZ. Well, Syria does now. I cited the figures in my testimony on just fighters, for example. For combat aircraft it is 5 to 1—just to take that particular example. And Jordan's aircraft I think are F-5's; they are increasingly obsolete and they need to be upgraded.

The Jordanian Armed Forces are well trained, disciplined, and courageous, and they will give a very good account of themselves. So anybody would have to think twice. But when you practically cede air superiority at the beginning, you put a terrific disadvantage in there.

Now we have a problem, of course, in that the delivery times on the items we are talking about are quite long—3 years or more. So there is a big gap in there before deliveries. But, nevertheless, it is one thing to see your problem and to see that there is down the road a way of solving it, and, on the other hand, just to be left completely at sea.

Senator PELL. Thank you.

Incidentally, Mr. Secretary, you cited, I believe, the Middle East Arms Transfer Study, which both the Chairman and I requested. Will you be sending that up to us—and when?

Secretary SHULTZ. We have briefed on it and we have sent a public version of it. But we have not sent the full study that is held in the White House.

Senator PELL. Do you think you will be able to respond favorably to our request in this matter?

Secretary SHULTZ. We believe we are responding completely in terms of providing the information to you, being willing to talk with you about it, and give you all of the information.

So we are very responsive. As for a White House document, that seems to have certain other kinds of problems connected with it.

Senator PELL. But the specific request we had was not for the information, which we are glad to get and are grateful to you for. But it was for the actual Middle East Arms Transfer Study. That request still stands and we would appreciate when knowing you can send it up—hopefully prior to our taking action on this legislation.

Now, another question here concerns an amendment that some of us played a roll in, and that is that the military aid should not go forward unless Jordan is publicly committed to the recognition of Israel and to negotiate promptly and directly with Israel under the basic tenets of resolutions 242 and 338. In this regard, there is also a provision requiring the President's certification of Jordan's public commitment to the recognition of Israel and to negotiate promptly and directly with Israel.

Is the President prepared to make that certification?

Secretary SHULTZ. Well, I think it is not so much a question of what the President is prepared to do. It is a question of what King Hussein has said that is the basis for any Presidential statement. I think in the Chairman's opening remarks, he quoted from King Hussein. Of course, he has made many statements over the years in this general direction. But in his formal address at the United Nations and his statements here in Washington on his most recent visit, I think he was very direct and forthcoming on those matters.

Senator PELL. I agree with you.

Secretary SHULTZ. He went beyond them, in fact, in talking about his condemnation of violence and commitment to having the Arab-Israeli conflict resolved in a peaceful manner and in a non-belligerent environment.

Senator PELL. I agree with you that he has made many statements, but we are looking for his actual movement.

Thank you very much, Mr. Secretary.

Secretary SHULTZ. Well, there is actual behavior—the reestablishment of diplomatic relations with Egypt, the strong stand against terrorism, the conditions along the border. It is not just talk.

Senator PELL. Thank you very much.

The CHAIRMAN. Thank you very much, Senator Pell.

Senator Kassebaum.

Senator KASSEBAUM. Thank you, Mr. Chairman.

Mr. Secretary, I would like to follow on first with a question that was raised in Senator Lugar's opening statement that I do not believe you addressed in your comments, and that is the administration's assessment of this sale on the force ratio in the Middle East. Do you see this only escalating the ante from other Middle East nations?

Secretary SHULTZ. We see this as providing King Hussein the deterrent defensive capability necessary, given the very adverse ratios he faces, particularly with respect to Syria.

Senator KASSEBAUM. Well, I know you addressed it regarding Syria. Will Israel feel, then, that they need something else to perhaps compensate for our sale to Jordan?

Secretary SHULTZ. Israel understandably is always concerned about its security, and necessarily so, because it lives in a region that has historically been and remains hostile to it, with the excep-

tion of Egypt, and on the behavior and statements of King Hussein, with the exception of Jordan.

Now, it is our judgment that Israel's overall superiority, military superiority in the region, is widening. I quote that as the judgment of others. I do not hold myself up here as a military expert. But that is the opinion of our intelligence experts.

We, of course, have a strong military support program with Israel which we go over each year. We are going over it now for the fiscal year 1987 period. There is $1.8 billion, I think, in direct grant, FMS, this year, and that is all a matter of close coordination and discussion with Israel.

Senator KASSEBAUM. You do not anticipate any supplemental request?

Secretary SHULTZ. Well, I don't, but I am not here to speak for Israel, but only to say that our analysis is that Israel has a strong, quantitative and qualitative edge itself, and, as far as we can see, that is tending to widen. And insofar as our attitude is concerned, we think that it is essential to Israel's security that it have that strength. And it is also essential from the standpoint of the peace process that Israel feel comfortable in its own ability to defend itself, and that the opponents of Israel see that there is no military option for them, and that they need to come to the negotiating table.

Senator KASSEBAUM. Well, it seems to me that in the past couple of years, the policy in the Middle East has been one more of vengeance than perhaps anything else.

In our assessment of the arms sale, we have put a lot of emphasis on the peace process. Do you not feel in the interim that we perhaps should focus on stability in the area, which I assume is the thrust of the support of this sale?

What assurances can you give that this will lend itself to stability as the peace process works its way slowly forward?

Secretary SHULTZ. Well, events in the Middle East are tumultuous enough that anybody who would sit here and look at you and say I can assure you of this, that, or the other, should have his head handed to him.

But I think what we must do is work continuously for stability and peace. This means helping our friends in their ability to look to their own security and it means working as creatively and consistently and persistently as we can to move the peace process along. I think over the years the United States can be quite proud of the contributions that it has made to what people in the region have actually accomplished.

Obviously, the Camp David Accords and the peace treaty with Egypt are the major things. But the agreement on Golan is another. Actually, 242 and 338, as international statements or commitments, are very important—and so on.

Senator KASSEBAUM. Thank you, Mr. Secretary.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Kassebaum.

Senator Cranston.

Senator CRANSTON. Thank you very much.

I welcome you to this hearing, Mr. Secretary.

Has the administration reached an agreement with Jordan as to how they would pay for the arms?

Secretary SHULTZ. No, sir.

That is presumably Jordan's problem, basically. But I do not at all rule out or I guess I would have to say I kind of expect that at some point Jordan would come and we would be asking the Congress to help pay for the arms.

Senator CRANSTON. So, presumably, there would be a request to Congress, although you are not sure of that at this point?

Secretary SHULTZ. There is not any program of that; but I think that is a fair presumption myself.

Senator CRANSTON. Is there any expectation that the Saudis would help pay for the arms?

Secretary SHULTZ. The Saudis provide a very substantial flow of funds to Jordan, and it is our understanding that that flow will continue. Of course, it is up to Jordan to decide what it is going to do with a flow of funds in and of itself.

Senator CRANSTON. Can you tell us why the administration has not either sent up an arms request for Saudi Arabia or indicated that it will withhold the sale or the proposed sale until the Saudis have met certain conditions that have been specified in the past?

Secretary SHULTZ. We have had many discussions with the Saudis, and, of course, the situation that they face is very much a part of our assessment of the Middle East security situation.

We feel that the Saudis have been basically a positive force in the region, and particularly insofar as threats to tankage in the gulf, the capacity of the Saudis to take action there has been extremely important and has made a big difference.

So, in response to their request, I would expect to see some notifications come before the Congress in the not too distant future. But no presidential decision has been made as to precisely what or precisely when they would come about.

Senator CRANSTON. Thank you.

American policy goals in the Middle East seem to be shifting in some respects. For example, about 10 months ago, our Government was taking the position that we were prepared to become involved in the Israel-Jordan peace process only after direct negotiations between the two parties had begun.

More recently, our position seemingly was altered to embrace a U.S. dialog with Palestinian representatives if, and only if, this dialog led to direct Israel-Jordan peace talks.

Currently it seems to be the position that we embrace arms sales to Jordan and push for an independent U.S. meeting with Palestinian representatives as a prelude to what Jordan now seems to indicate should be what they call an "all parties conference," that presumably would include Syria, the Soviet Union, the PLO, and all of the permanent members of the Security Council and everybody involved in the situation in the Middle East.

When Anwar Sadat wanted direct and prompt negotiations with Israel, he flew to Jerusalem. When King Hussein says direct and prompt negotiations, it seems like just talk about talking and perhaps talk designed to get American weapons meanwhile.

So my question is why can't we wait until direct talks have actually begun before we move forward with the sale?

Secretary SHULTZ. Well, there are three parts to your question. First is has our policy been shifting around, and if so, why. You asked me so many questions, I should have written them down.

First is a criticism of our policy, and your second question was——

Senator CRANSTON. Well, it is basically, why can't we——

Secretary SHULTZ [continuing]. Why doesn't King Hussein fly to Jerusalem?

Senator CRANSTON [continuing]. Well, not exactly that. But why don't we wait till the talks start?

Secretary SHULTZ. And then, third, why not wait?

Senator CRANSTON. Until the talks start, until they are actually underway before we provide arms. That is basically the question, the latter one.

Secretary SHULTZ. First of all, on the idea that we have been shifting around, I don't know what you are referring to. We have never said that we would not be involved in the peace process until direct negotiations were actually taking place. We are involved up to our eyebrows right now and have been consistently. We talk to Israel, we talk to Jordan, we talk to other states. We try to help this process along. We have tried to persuade the parties, particularly in this case on the Arab side, that the continual emphasis on trying to have a guaranteed solution before you start was not realistic and that the emphasis should be on a process, and that the process has to be somehow or other an Arab delegation sitting down across the table with the Israelis, direct negotiations.

That has been our effort consistently.

Now, I think I am fair in saying that as we have discussed this, the parties have always let it be known that they would wish for U.S. participation, and we have assured them that we are prepared to participate and be helpful.

So there has never been any shift of that.

Now, of course, the question then presents itself how do you get from where we are into direct negotiations, and different people have different problems in doing that.

King Hussein feels that if he is going to bargain with Israel over conditions on the West Bank and Gaza, which are mainly occupied by Palestinian Arabs, he has to have people who have legitimacy in his delegation. As he says, if what we are looking at is Israel's readiness to simply return to the 1967 borders and that is it, that is the standard Arab position and that is no problem. He will negotiate that tomorrow. But that is not what this negotiation is about.

This is going to be a very difficult, complicated negotiation, with a lot of give and take, and so, the people who are going to be most affected need to be represented. But who are those representatives? That is harder.

So we are trying to find our way to that. It is difficult to answer that question.

Similarly, King Hussein feels that it is important that there be some international auspices—I think his phrase is "under appropriate auspices" that is taken out of resolution 338. I suppose it is fundamentally a reference to the desirability that there be a comprehensive settlement at some point in the Middle East.

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Nobody denies the desirability of that. But at least our opinion is, my opinion is, that you have to go about it piece by piece.

So that is something that he has under consideration, and we have tried to put on our thinking caps and say let's see how we can work around this. We think that if what is envisaged is some big conference where the Soviet Union and Syria sit around and spend their time criticizing the United States and Israel, that is not much of a goal.

I think Prime Minister Peres put it very well the other day. I heard him quoted as saying that Israel is willing to go to a conference but not fall into a trap. I feel the same way about it.

So these are problems in establishing this process.

There are things that we might be willing to do if we could be absolutely sure that where they were taking us was into direct negotiations. We would not think it was a good idea to do otherwise.

So there are all these balls in the air, and we did not throw them up there. But to a certain extent we are trying to catch most of them and keep the process going.

Now, as far as time is concerned and why not wait, the problem is that King Hussein is moving now, and wants to move forward, and has been moving forward, and as he does so, in a sense it is a measure of the seriousness with which the opponents to peace take him that he has been subjected to the intimidation and violence. So the problem is now. That is why we do not wait.

Senator CRANSTON. Thank you very much.

The CHAIRMAN. Thank you, Senator Cranston.

Senator BOSCHWITZ. Mr. Secretary, I listened with great interest to your statement. You say in the event we do not provide these arms that it would be a signal the United States does not fully support the King's peace efforts.

I must tell you I respectfully disagree with that. Thus far, the King has given us mostly words. He has mostly stated his support of a peace effort. Most of his peace efforts have been in statements.

I think we have already gone far beyond words in declaring our support to Jordan. We have provided earlier this year the Kingdom of Jordan with considerable aid, and I respectfully disagree that the Kingdom of Jordan has made really meaningful moves. If they want to negotiate, they should negotiate.

You said that they have made many statements over the years in that direction, referring to their desire to negotiate. Now we see more statements, and I must say I welcome those statements and welcomed them here in the Senate and said so when the King was here. But if it looks at their acts, they hardly seem spectacular and are in any event in Jordan's own best self-interest.

The fact that Jordan recognized Egypt 5 or 6 years after Egypt enters into a peace agreement—that one Arab nation decides to renew diplomatic recognition—is not in my judgment a very big move.

The fact that Jordan takes actions against terrorism—perhaps in the Middle East that is a move that has to be hailed, but it is in Jordan's interest to do so in my judgment.

The fact that they seek to keep peace on their border with the State of Israel also in my judgment is what normally would be done in their own national interest.

The fact that the ratios of military forces are five to one or four to one in Syria's favor is more a reflection of population differences, and those kind of ratios probably exist with respect to Israel and some of its neighbors when they are taken as a group. And yet Israel, as you say, is gaining in its ability to counteract its neighbors.

From this side, I think we have made many moves. The King, on the other hand, puts a number of obstacles in the way of peace.

Back in May, the President, as you noted toward the end of your testimony, said that the King could count on us for economic and security assistance. Well, we have already given them economic assistance. We have given it to them in the past, and we will heighten that economic assistance, and I will help, particularly if the King makes the forward moves that he speaks about.

In May it was decided that we should begin the process and that the King would bring to the table Palestinians who were not affiliated with the PLO, and himself, and Assistant Secretary Murphy or somebody from our side. That meeting would lead to certain statements that would follow quite shortly by the PLO.

Well, many of the names of the Palestinians that were submitted to us, I believe in mid-July, were not clear of association with the PLO. Two of them were, but four of them clearly were not, and I think they are still debating the seventh person. And no forward motion as far as I can tell has been made with respect to those names, either while the King was here or since they were submitted.

I do not think there is any dearth of legitimate people—mayors, professors, doctors, business men, leaders of various type among the Palestinians with whom the United States would have met. There is no problem in getting what you called earlier in one of your answers legitimacy in the delegation.

Then step three, of the King's plan—convocation of an international conference—is very difficult. So the King seems to have placed some stumbling blocks in the way.

Why, we cannot even get beyond step one. In our dealings with Egypt and, as the Senator from California noted, President Sadat came to Jerusalem to begin the process, I think we have not been remiss in what we have done in respect to providing arms and aid to Egypt when it became involved in the peace process.

But other than words, as you have said, what do we see from Jordan? As you have said, many statements over the years have been made in that direction—to quote you in one of your answers earlier this morning, Mr. Secretary. Why, from just the words—rather than actions—words that in my judgment are in their national interest anyway and that have not particularly moved process toward peace, why from just those words shall we now give these arms which we undoubtedly will have to provide the money for, when Jordan cannot even get seven Palestinians together in a conference with ourselves and themselves so that step one can be concluded and we can then go on to step two, and hopefully step three, where obstacles are also being presented by the Jordanians?

Secretary SHULTZ. Things are tough, but they are not that tough.

Senator BOSCHWITZ. Pardon me?

Secretary SHULTZ. Things are tough in the peace process, but they are not that tough.

Senator BOSCHWITZ. I don't say that they are tough, Mr. Secretary, but I don't see beyond words that the King is making forward movement.

If you want to say that because he keeps his borders peaceful or he recognizes Egypt or he does not put up with terrorism, things that he should not do in the first place, I am not very convinced by that.

Secretary SHULTZ. Well, if you don't think that combatting terrorism and being an Arab country that steps up in their community to recognition and reestablishment of diplomatic relations with Egypt, breaking away from the Arab consensus, are actions rather than words, I don't know how to cope with your statements.

Those look like very courageous, necessary actions to me. I believe they are in King Hussein's interests. I don't believe that people do things unless they think they are in their interests.

But, nevertheless, these are important actions that he has taken. I referred to statements over the years mainly to suggest to you that the things that he has been saying lately are not sort of sudden shifts of view. King Hussein has long been convinced that Israel should be able to live with peace and stability in the Middle East, and has been trying to find his way to have a negotiation that would, at least insofar as Jordan is concerned, get there.

It is difficult, and you have enumerated some of the difficulties. I am all too familiar with them and how hard they are. We struggle with that and I think we have made some headway, but it is hard going.

But we are going to keep working.

In the meantime, it is a measure of the fact that what King Hussein has done has impressed the adversaries to peace that they are attacking him. I think that if you are making moves toward peace and the enemies of peace are attacking you, you like to feel that peace has friends and that the friends of peace will stand with you.

It is as simple as that.

The CHAIRMAN. Thank you very much, Senator Boschwitz.

The Chair would remind Senators that we are trying to operate on a 5-minute rule, and the Secretary is going to have to leave shortly after 11 a.m.

So we are hard-pressed.

Senator Sarbanes.

Senator SARBANES. Thank you, Mr. Chairman.

Mr. Secretary, is it part of the thinking here that as Hussein moves toward the peace process, he runs the risk of coming under greater intimidation from some of his neighbors because he is doing so?

Secretary SHULTZ. I think that is an observable fact, Senator.

Senator SARBANES. And, therefore, are these arms, in a sense, designed to provide him some support against the possibility of that intimidation?

Secretary SHULTZ. Yes. The answer is yes.

Senator SARBANES. Now, when would these arms be delivered?

Secretary SHULTZ. The arms delivery dates are long delayed.

Senator SARBANES. Then I don't understand the connection, unless you are assuming that the movement toward the peace process will be long delayed.

Secretary SHULTZ. The connection is that if you feel that your essential security needs are simply not being met and you do not see any prospect of it, that is one thing. If, on the other hand, you see that when it comes to this major category, namely air defense capability, there is the prospect down the road, the United States has been able to take a decision to support you, and it may be that you have to delay. It takes a long time for these things to get into place, but, nevertheless, the prospect is there, and from a sort of psychological point of view, the fact that your friends have stood by you means a great deal.

So I think that in any case it takes a long time.

In the case of the aircraft, the air force needs to conduct competition between the two aircraft before a selection can be made, and then they have to get into production. So it inevitably takes a while.

But you can't deliver something unless you start on the process.

Senator SARBANES. But it seems to me that that is a different rationale. It departs from the rationale of movement toward the peace process, and it goes to the points made earlier, why don't we get a clearer movement toward the peace process?

In other words, if you are saying that Hussein won't move in the peace process——

Secretary SHULTZ. No, sir, I am not saying that.

Senator SARBANES [continuing]. Because he fears that if he does so he will run the risk of an attack from an Arab neighbor and, therefore, he is seeking to bolster his defenses to deal with that problem—it's a separate issue whether in fact this would do that, but let's continue that discussion for a moment—and yet he won't get this reinforcement of his defenses for 3 to 5 years, it handly seems to me to bear on moving on the peace process.

He should move on the peace process in any event, just the way the Egyptians did. Once the Egyptians did that, there was a very strong response, and there has continued to be a strong response from this Congress on both Egyptian security and economic needs.

Secretary SHULTZ. King Hussein has not said he won't move. He is moving. He has moved.

He is already paying a price. He needs help. So, in terms of his long-term needs, we have tried to set this out and make this request. It is definitely tied in to his own sense of whether or not peace has friends that will support him in this hour of need.

I think there is a great difference. I know there are constant comparisons, and Senator Cranston made the same.

I am disappointed, Senator, that you have moved back over to the Democratic side of the table. As a Californian I saw you conferring over there [indicating], and thought gee, this is pretty good. [Laughter.]

But there is always a comparison with Egypt. The Egyptian and Jordanian cases are really very different. The countries are very different in size and capability. Their geographic location is very different. There is a difference between the Sinai and what is in-

volved there, and the West Bank and the Gaza Strip—it is an entirely different proposition.

Senator SARBANES. How much is this arms sale worth?

Secretary SHULTZ. One point nine billion is the current estimate.

Senator SARBANES. Is the United States going to provide the money for it—I assume so?

Secretary SHULTZ. I don't know how the sales will be paid for, but I assume that the United States will be asked to play a strong part in it.

Senator SARBANES. Have you looked at the Gramm-Rudman proposal?

Secretary SHULTZ. I have shuddered at it, yes.

Senator EAGLETON. What did you say—shuddered?

Secretary SHULTZ. I have shuddered at thinking about it. Well, I don't know, there is something to be said for wiping out the State Department and a few other things that would go down the drain. It would give us all a vacation. [Laughter.]

But I do believe, and I want to say—without joking around now—that coming to grips with the fiscal deficit that this country has is essential. We must do it.

So I strongly support moves that will come to grips with it, and obviously then you will have to say to yourself how. But we have to get beyond just rhetoric about this deficit and do something about it or we are going to be in very deep trouble in this country in my opinion.

Senator SARBANES. Mr. Secretary, I think you are going to be held to those words, because I think we are going to come to grips with it with some very severe cuts in the foreign assistance area.

Secretary SHULTZ. Well, I will have to say my piece about the security assistance and the economic assistance programs, and for that matter about the defense programs.

Senator SARBANES. Thank you. My time is up.

The Chairman. Thank you very much, Senator Sarbanes.

Senator Pressler.

Senator PRESSLER. Thank you very much.

Mr. Secretary, regarding your very first statement on terrorism, I have a question that you may want to respond to in writing because it is not the subject of the day.

You mentioned the harboring of terrorists and so forth. We do have before this committee a very controversial modification of our extradition treaty with the United Kingdom. I am a supporter of this change because it can help bring justice to terrorists and other criminals. But, indeed, that treaty appears to me to provide the same standard for extradition that we ask other countries to adopt. I don't know if we put out a model treaty, but it is almost the same treaty provision that the Republic of Ireland has with England, and I believe the Department of State strongly supports adoption of that treaty.

If we do not approve that treaty, won't we be putting ourselves into a category of not meeting the same standard that we are asking other countries to meet?

Secretary SHULTZ. I think we should approve that treaty, and I think your statements are correct. I hope the Senate will be able to act on it in due course.

Senator SARBANES. Would the Senator yield?

Secretary SHULTZ. I don't know exactly what is the best timing for that, but it is an important treaty, in my opinion.

Senator SARBANES. Would the Senator yield?

Senator PRESSLER. Well, not on my time. I just brought this up and only have 5 minutes.

I will yield on someone else's time.

Senator DODD. Paul, you can have some of my time.

Senator SARBANES. Thank you.

Mr. Secretary, do I understand you to take the factual position that that treaty is the equivalent of other extradition treaties?

Secretary SHULTZ. I had better respond for the record on precise questions about that treaty. I don't have it on the top of my head.

But, as a general proposition, I think obviously we support it.

Senator PRESSLER. Back on my time, Mr. Secretary, would you submit a statement on that. I did not mean to get off on that, although it is very much related to your first statement.

I do have some questions on this.

Mr. Secretary, I supported the AWACS sale. I go out of my way to vote with the administration because I think our President should make foreign policy with our analysis.

Now, it is almost the same thing with Saudi Arabia. They were possibly going to get into the peace process, I was told.

Now I admire King Hussein very much. I met with him when he was here, and I think he is one of the finest leaders in the world. But what evidence, based on the AWACS sale example, and the Saudi participation in the peace process, what specific progress can you cite to me that resulted from that sale that might be analogous to this sale?

Secretary SHULTZ. Well, insofar as the peace process is concerned, there are clear Saudi efforts to encourage it. As far as the Saudi security capability is concerned, I think that, to my way of thinking, is focused more on the situation in the gulf and the importance of keeping the gulf clear and the deterrent value with respect to Iran of them seeing that Saudi Arabia has the capacity to react and will do so.

I think that has helped stabilize the situation in the gulf.

That I think is the main orientation as far as justifying Saudi security levels.

Senator PRESSLER. You pointed out that Jordan has had a 5-to-1 ratio of inferiority with Syria. How substantially would this new arms sale improve that ratio? And, following up on that and a question Senator Kassebaum asked, if they would only improve the situation from 5 to 1 to 4 to 1, would the Jordanians then come back to us next year, in the future, with an even greater request, a request that would prompt Israel to request more arms, too?

Secretary SHULTZ. The principal thing insofar as the planes are concerned—that was the ratio that I cited—is the qualitative improvement. The planes that Jordan has now become increasingly obsolete, the F–5's. They would be replaced by much more modern defensive aircraft. I think that is the major thing that would take place.

Senator PRESSLER. Mr. Secretary, I have some additional questions for the record. Regarding my earlier question on the U.S.-

U.K. extradition treaty, if we could have a written comparison of some of the current treaties and the treaties that we try to negotiate with other countries and the U.S.-U.K. treaty for the record, that would be very useful.

Secretary SHULTZ. Yes.

Thank you.

[The information referred to follows:]

Secretary Shultz Reply to Senator Pressler's Question
Re Comparison of US/UK Supplementary Extradition Treaty with
Other Treaties:

The US-UK Supplementary Extradition Treaty compares favorably with the treatment of the political offense issue in a number of relatively recent extradition treaties that the United States has concluded with other countries. As you know, the Supplementary Treaty amends the 1972 Extradition Treaty between the United States and the United Kingdom by providing that certain speicified violent crimes will not be considered to be offenses of a political character. These crimes, which are typically committed by terrorists, are: aircraft hijacking and sabotage; crimes against internationally protected persons, including diplomats; hostage taking; and other heinous acts, such as murder, manslaughter, malicious assault, and certain serious offenses involving firearms, explosives and damage to property.

Following, in response to your request, are selected examples of U.S. extradition treaties of recent vintage that contain an approach generally comparable to that taken in the US-UK Supplementary Treaty, with respect to limitations on the political offense exception to extradition. The U.S.-U.K. Supplementary Treaty does contain a more detailed list of offenses, but the general approach of the following treaties is comparable.

Canada (TIAS 8237; signed December 3, 1971; entered into force March 22, 1976)

Article 4(2) - The provisions of subparagraph (iii) of paragraph (1) of this Article [which provides that extradition shall not be granted when the offense is of a political character] shall not be applicable to the following:

(i) A kidnapping, murder or other assault against the life or physical integrity of a person to whom a Contracting Party has the duty according to international law to give special protection, or any attempt to commit such an offense with respect to any such person.

(ii) When offense 23 of the annexed Schedule [i.e., aircraft hijacking], or an attempt to commit, or a conspiracy to commit, or being a party of the commission of that offense, has been committed on board an aircraft engaged in commercial services carrying passengers.

Costa Rica (Signed December 4, 1982; entry into force awaiting Costa Rica's ratification)

Article 4(2) - For the purposes of this Treaty, the following offenses shall not be considered to be included in paragraph (1) of this Article [which prohibits extradition for political offenses]:

(a) The murder or other willful crime against the life or physical integrity of a Head of State or Head of Government or of his family, including attempts to commit such an offense.

(b) An offense with respect to which the Contracting Parties have the obligation to prosecute or to grant extradition by reason of a multilateral international agreement.

Federal Republic of Germany (TIAS 9785; signed June 20, 1978; entered into force August 29, 1980)

Article 4(3) - For the purpose of this Treaty the following offenses shall not be deemed to be offenses within the meaning of paragraph (1) [i.e., a political offense, an offense of a political character or an offense connected with such an offense]:

(a) A murder or other willful crime, punishable under the laws of both Contracting Parties by a penalty of at least one year, against the life or physical integrity of a Head of State or Head of Government of one of the Contracting Parties or of a member of his family, including attempts to commit such an offense, except in open combat;

(b) An offense which the Contracting Parties or the Requesting State have the obligation to prosecute by reason of a multilateral international agreement.

Italy (signed October 13, 1983; entered into force September 24, 1984)

Article 5(2) - For the purpose of the application of paragraph 1 of this Article [which prohibits extradition for political offenses or politically motivated extradition requests], an offense with respect to which both Contracting Parties have the obligation to submit for prosecution or to grant extradition pursuant to a multilateral international agreement, or an offense against the life, physical integrity or liberty of a Head of State or Government or a member of their respective families, or any attempt to commit such an offense, will be presumed to have the predominant character of a common crime when its consequences were or could have been grave. In determining the gravity of the offense and its consequences, the fact that the offense endangered public safety, harmed persons unrelated to the political purpose of the offender, or was committed with ruthlessness shall, in particular, be taken into account.

Mexico (TIAS 9656; signed May 4, 1978; entered into force January 25, 1980)

Article 5(2) - For the purpose of this Treaty, the following offenses shall not be considered to be offenses included in paragraph 1 [i.e., political offenses or offenses of a political character]:

(a) The murder or other willful crime against the life or physical integrity of a Head or State or Head of Government or of his family, including attempts to commit such an offense.

(b) An offense which the Contracting Parties may have the obligation to prosecute by reason of a multilateral international agreement.

Netherlands (TIAS 10733; signed June 24, 1980; entered into force September 15, 1983)

Article 4(2) - For the purpose of this Treaty a murder or willful crime against the life or physical integrity of a Head of State or Head of Government of one of the Contracting Parties or of a member of that person's family, including attempts to commit such offenses, shall not be deemed to be offenses within the meaning of paragraph 1 [which provides that extradition shall not be granted for offenses of a political character or connected with an offense of a political character, and further provides that extradition shall not be granted when it is established that extradition is requested for political purposes].

Spain (TIAS 7136; signed May 29, 1970; entered into force June 16, 1978)

Article 5 - (B) For the purposes of the application of subparagraph A, 4 of this article [which prohibits extradition for an offense of a political character], the attempt, whether consummated or not, against the life of the Head of State or of a member of his family shall not be considered a political offense or an act connected with such an offense.

(C) For the same purposes of application of subparagraph A, 4 of this article an offense committed by force or intimidation on board a commercial aircraft carrying passengers in scheduled air services or on a charter basis, with the purpose of seizing or exercising control of such aircraft, will be presumed to have a predominant character of a common crime when the consequences of the offense were or could have been

grave. The fact that the offense has endangered the life or jeopardized the safety of the passengers or crew will be given special consideration in the determination of the gravity of such consequences.

Thailand (Signed December 14, 1983; entry into force awaiting Thailand's ratification)

Article 3(2) contains language that is substantially similar to that in the Extradition Treaty with Spain.

With regard to your question, Senator Sarbanes, as the Administration has already indicated, we are endeavoring with other stable democracies to negotiate extradition treaties or amendments to such treaties that contain limitations on the political offense exception similar to that found in the United States- United Kingdom Supplementary Extradition Treaty. Such other democracies would include those which allow the free expression of views, and in which resort to violence cannot be accepted as a legitimate form of political expression.

Efforts to limit the scope of the political offense exception to extradition date back to the Belgian "attentat" clause of 1856, which specified that attempts on the life of a foreign Head of State or government, or members of his family, would not be considered political crimes. This limitation was first included in a U.S. treaty in 1882 with Belgium, and, subsequently, has been incorporated into many extradition treaties internationally.

In addition, modern U.S. extradition treaties, for example US-Canada (1971) and US-FRG (1978), place a further limit on the scope of the political offense exception by providing that certain offenses which are the subject of multilateral international agreements, e.g., aircraft hijacking, shall not be considered political offenses.

In 1977, member States of the Council of Europe adopted the European Convention on the Suppression of Terrorism. That Convention limits the scope of the political offense exception by specifying that certain crimes, e.g., aircraft hijacking or sabotage, attempts against diplomats and other internationally protected persons, hostage taking or kidnapping, the use of explosives and automatic firearms, would not be regarded as political offenses for the purpose of extradition. The Convention also lists certain other crimes, e.g., acts of violence against the life, physical integrity or liberty of persons, which the parties "may decide not to regard as a political offense." Eight States have become parties to that Convention without reservation with respect to these limits on the political offense exception.

Accordingly, there are ample precedents in international extradition law and practice for the approach to limiting the political offense exception contained in the Supplementary Treaty.

Senator PRESSLER. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Pressler.

Senator Dodd.

Senator DODD. Thank you very much, Mr. Chairman.

Mr. Secretary, welcome once again to the committee.

Mr. Secretary, let me pick up on what seems to be the single question you are getting, and that is the timing right now of the arms sale in light of the events of last summer and most recently, this fall, with King Hussein's visit to this country, his speech before the United Nations, his meeting with members of the Senate, and his remarks about resolutions 242 and 338 and recognizing Israel's right to exist.

I suppose what is beneficial about these meetings is that we get a chance to be briefed by the Department of State as to where things are, and you get a sense as well of where Members of Congress are on some of these issues.

I am sure you are aware that last summer, in June, there was a resolution signed, by some 70 Members of the Senate, discouraging a sale of military hardware to Jordan.

There is also a "Dear Colleague" letter discouraging the sale of military hardware to Jordan, I believe, being circulated that has at this time, some 20 Members of the Senate as cosigners.

At this juncture I am not a cosigner of that letter.

I very much agree with you Mr. Secretary in this sense: I think it is vitally important that we play an encouraging role in trying to promote the peace effort that has begun. Although it is stumbling along, at last it has begun.

I do not believe that you should refrain from submitting things up here merely because the votes do not look good especially if you think it is the right thing to do.

I am not about to suggest to you that you follow that course of action.

But, if the President is correct in the statements he made during the King's visit that the month of December looks particularly promising, as a time to see some real progress on this place effort, wouldn't it be wiser to proceed along that course without raising unnecessarily, with just a matter of weeks being the difference, a confrontation between the executive and legislative branches? We would be talking about a mere few days, during which time we might all see some very significant progress.

The speeches are wonderful and I do not diminish a speech made by a head of state because it is a different thing entirely when a head of state makes statements such as the one King Hussein made.

But I do think it is crucially important, in terms of the success that you are seeking here, that we see something a little bit more than that.

If that were to occur, I would suspect that there is a very good chance that the proposition before us would prevail.

My suspicions are that if that is not the case, you will fail in this effort.

Again, I do not want to suggest that you not bring this up because you are counting votes. But I would rather see you bring it up and win when we have something really to go with.

What is the real problem of waiting those 2, 3, or 4 weeks that we may be talking about if, in fact, the December timeframe, as I recall the President has said, would be the timeframe that we could look to for some real progress in this peace effort?

Secretary SHULTZ. I appreciate your comments and also your notation that we should not guide our thinking by which way the wind is blowing, that you have to take your positions. But I have also been told that it is important up here to be able to count, and so we want this to be effective. It is not enough just to take a position and lose. We do not want to lose. The President does not want to lose.

We have said, and King Hussein has said, and I think Prime Minister Peres has said, that we should try to get something accomplished by the end of the year. I suppose that is where the word "December" comes in. That's when the end of the year runs out. [Laughter.]

Senator DODD. Yes, unless things have changed dramatically recently.

Secretary SHULTZ. That is not very profound. [Laughter.]

But it is a struggle, and it is hard, and I have been involved in it, and I would not make any predictions myself about when something is going to happen because I know how slow and difficult it comes.

I also have the feeling that if something should jell, it sort of will jell, and there it will be all of a sudden. It will seem sudden, but it won't be sudden. It will be the result of a long, hard effort.

So, knowing that and knowing that the King needs to feel that sense of support now, for reasons that I have tried to bring out in my statement, even though, as Senator Sarbanes brought out in his comments, the main items of equipment that we are talking about are long lead-time items, we need to get started. That is basically what dictates the timing here.

Senator DODD. Thank you, Mr. Chairman.

Thank you, Mr. Secretary.

The CHAIRMAN. Thank you very much, Senator Dodd.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Mr. Secretary, in your prepared remarks, you made reference to King Hussein's interest and, perhaps, insistence on an international conference. You indicated you did not support the idea, that you have not seen the utility of engaging in such discussions.

My question is a specific one. Is any proposed arms sale to Jordan conditioned on the King relaxing his insistence on an international conference?

Secretary SHULTZ. No, sir.

He has a view of that, we have a view of that, the Israelis have a view of that, and discussion and work to try to find an appropriate international auspices—I think is formally the words that have been used—that King Hussein would find proper and that we feel and the Israelis feel would be workable is what we try to do.

Senator MURKOWSKI. So the issues are not connected?

Secretary SHULTZ. It is not enough to find something that Jordan likes and Israel does not, or that Israel likes and Jordan does not.

You have to find something that everybody agrees on, including us. That is what we are trying to find.

Senator MURKOWSKI. Since the two are not conditioned, then I would ask this question. Since the peace process is certainly being led by the King, or you might say he is running interference in the Arab world on the effort, and he feels very strongly about an international conference, and although it is contrary to our general policy for the last 37 years, you can't necessarily say that our policy has been as successful as we might have wished. So, why isn't it practical to support the King in his efforts for an international conference on peace in the Mideast? You know, we are not right all the time. This is kind of his show. Why try to pull him off track and not support his contention that it would be in the best interest of all? After all, he has certainly the most exposure and he certainly is genuine, or so he seemed in my brief conversations with him, and I am absolutely convinced that he is willing to make the best possible effort for peace. So why not encourage him in the international arena of pursuing an international conference and bring in all the players and hope that it might be better than what our suggestion has been, which is to keep it direct among Jordan, Israel, the Palestinians and ourselves?

Secretary SHULTZ. I don't think that it is historically accurate to say that the U.S. Government has always opposed an international conference. In fact, there was one once.

Senator MURKOWSKI. I didn't mean to imply that, really.

Secretary SHULTZ. This time, given the antagonisms and the fact that of the five permanent members of the Security Council, two do not recognize both Israel and Jordan, it seems to us to present a genuine problem.

We do take exactly the attitude you describe. We regard King Hussein as a serious, thoughtful, constructive person whose views have to be given weight because they are not frivolous.

By the same token, so we feel about the views of the Israelis and our own views for that matter.

So we struggle, as the Israelis do, to see if there is some way to put this together in a manner that suits everybody. It is hard to do. There is no point in saying let's have a conference and then key people do not come.

I think there are some who would want to construct a conference and one of the people at the table would be the PLO. Well, we would not go. I don't think you would advise us to go, and Israel would not go. And yet, there needs to be some Palestinian representation.

So, there are a lot of problems, and we are trying to work at the problems while recognizing that what the King says has real merit and we have to find a way around it.

Senator MURKOWSKI. Well, on this particular issue, the King is either going to prevail or not.

Secretary SHULTZ. Well, no. I don't think it——

Senator MURKOWSKI. If he wants an international conference, he wants an international conference. He either gets one or he does not. My suggestion was that maybe we ought to let him try it. But I appreciate your answer and certainly respect your point of view on other ways to achieve that objective.

The CHAIRMAN. Thank you very much, Senator Murkowski.

Senator Eagleton.

Senator EAGLETON. Thank you, Mr. Chairman.

This is a follow-up, in part, to questions by Senator Kassebaum and Senator Pressler.

It is as certain as we are in this room today that if this arms sale goes through, Israel will request in time, if not immediately down the road, additional military equipment premised on the enhanced military posture of Jordan. Is the administration prepared, as of now, to reject any request by Israel for additional military equipment when Israel requests same because Jordan now has F-16's, F-20's, Hawks, et cetera?

Secretary SHULTZ. The answer to that question must be no. Here is our process with Israel.

We have a continuing dialog with Israel about security matters. We have a joint political and military group that examines it on a regular basis. Each year, as we make up our budget request, the President's request to you, the Israelis tell us what their view is about their security needs, and we develop our own view and then we discuss it with them, and we try to work out what we think is a reasonable answer to the question. We do that on a continuing basis.

In my opinion, we should continue to do that.

So, you have to assess the situation each year and see where you are going and plug in all of the factors. But in saying that, I am not saying that necessarily this sale means that there has to be some big jump-up in what happens in Israel. We have to look at the overall situation.

Of course it is true, as the Israelis have said, as various representatives of Israel have said, there is a big difference between a country which is at war with Israel and a country which is not. Thereby I think some of these statements of King Hussein, which I recognize have been heavily discounted here, but nevertheless that he seeks a peaceful resolution in a nonbelligerent environment and so on—those are all quite important in my judgment.

Senator EAGLETON. If Arafat agrees to a non-PLO composition of the Palestinian-Jordanian delegation, does he not cut his own political and/or physical throat?

Secretary SHULTZ. Well, it is not my job to worry about his political position. He has his problems and he causes plenty of problems for us. So he is not my problem.

The question is how do you get Palestinians in a Jordanian delegation who are seen by Palestinians as being legitimate representatives of theirs. The PLO in the Arab world has been designated as the representative of the Palestinians, something that they have done. It is hard for me to see, frankly, that the PLO sponsorship of armed struggle and all of the terrorism and violence that has strewn the landscape for so long has made any contribution to the well-being of the Palestinian people.

That's another issue.

Nevertheless, some kind of relationship or blessing, if that is the right word, of people who are in that delegation via the Arab world consensus is probably an essential ingredient. That is why this is so hard, because in a way it is hard to define who is PLO and who is

not. There is one sense in which practically all Palestinians are. There is another, more formal, sense in which there are differences.

So, it is a loose kind of problem.

Senator EAGLETON. With respect to the Hawks, are you prepared to recommend, as part of your package, that there be restrictions on the deployment and utilization of the Hawks, similar to the 1975 Gerald Ford restrictions and analogous to the 1978 restrictions under President Carter on the F-15's?

Secretary SHULTZ. Well, when you immobilize a piece of antiaircraft equipment, you make it much less effective.

Senator EAGLETON. Well, President Ford put some restrictions on them. Are you prepared to follow that example, with restrictions on the Hawks in this proposal?

Secretary SHULTZ. Our position is that the Hawks should be made available as they are. If Members of the Congress have problems and they want to discuss them, we are willing to discuss them. But our position is that the Hawks should be provided to King Hussein in a manner that maximizes their ability to be useful to him.

Now, I recognize that there are certain problems about their range over Israel, and we can address those.

Senator EAGLETON. Thank you, Mr. Secretary.

Mr. Chairman, I have some additional questions for the record that I would like to have responses to in writing.

The CHAIRMAN. Certainly.

Secretary Shultz, if you would wait for a moment for Senator Kerry's questions, these will be the final questions of the round. Then I would hope members would assemble shortly for a short business meeting.

Senator Kerry.

Senator KERRY. Thank you, Mr. Chairman.

Mr. Secretary, I also welcome you to the committee.

In the course of your testimony this morning, you essentially acknowledged, No. 1, that there will be additional expenses ultimately with respect to maintaining Israel's qualitative military edge over her potential adversaries.

Secretary SHULTZ. I tried to describe the process of assessing security needs.

Senator KERRY. I understand that.

Secretary SHULTZ. I do not predict out of that any particular outcome.

Senator KERRY. Well, I think, given their concern about this sale and given the history of three wars in which Jordan has fought against them, versus the one war which almost broke out between Jordan and Syria, there is an obvious change in their perception of how they may or may not be threatened should this proposed sale be made at this time.

I think every Senator sitting on this panel agrees that that is something we ultimately are going to face, just as we did with the $400 million request after the AWACS sale to Saudi Arabia.

But that is not the issue.

However, assuming that, you have also said we are going to be an integral part of the financing for this proposed sale to Jordan.

Secretary SHULTZ. That is my guess.

Senator KERRY. My question is this. If we are facing those kinds of costs—or even leave those costs out if you like, if you are happier saying that is still too "iffy—" given the question that my colleague from Maryland has asked about the timing, the fact that the F-16 or F-20 question is not even resolved by the Air Force, let alone this particular arrangement, so that we don't know what aircraft we would be giving them, there is obviously a future point in time at which the question of what will be delivered or when it will be delivered is going to be determined.

Why, then, should it not be adequate for us to do exactly what King Hussein is doing, which is, as a Congress say to him you have promised to do X, Y, and Z if we do X, Y, and Z; well, we will do X, Y, and Z if you do it? Why should we actually initiate it, lock it in, go through the process of probable expenditures in the face of all the other constraints we have before anything has happened in the peace process?

Aren't we just as well off if we, as a Congress, were to pass a resolution or affirm an administration position to the effect that if the King does sit down at the table, if there is progress, then, indeed, we would be more than happy to proceed with this sale, particularly since it is 3 years down the road before there is delivery anyway?

Secretary SHULTZ. Well, one of the problems is for a delivery to be made 3 years or some period of time from now, whatever that turns out to be, you have to get started, and the longer you wait, the longer that interval in there is a constant.

So, I think if we just wait around interminably, we just postpone and postpone the ability to serve the security needs involved.

By the same token, the need to show that we stand with King Hussein in his efforts is present now, not 3 years from now, not after a peace treaty is signed. The period of challenge is going on today, and has been, and we see in what has happened over the past few months exactly the nature of this problem.

Senator KERRY. Mr. Secretary, I absolutely understand that.

But what we are trying to do here, effectively, because there is no immediate delivery—I think you, yourself are describing a message—what we are doing is sending a message about what we are willing to do, because what we are willing to do does not happen for a while.

Why can we not just as effectively send that message and measure what happens in the peace process, just as we did in the Camp David process?

Secretary SHULTZ. The problem is in the uncertainties created by conditions that are put there. The King needs help. He has started and done things and said things that are very controversial in his world, but which are also right from his standpoint. He is not doing this for us. He is doing this for himself because it is in his interest. We think it is in our interest, so we are encouraging him. Now is the time that he needs to have good, unequivocal support.

Now, the King can't sit down in negotiations all by himself. Other people have to sit down, too. It is not as though he is the only person involved here.

So, if you lay down conditions that are things that he can do something about, but not everything about, you put him under a very difficult position.

Senator KERRY. I am very cognizant of his efforts. I applaud them, I am sympathetic to them, and supportive of his efforts. But the population of Syria is 9.31 million and the population of Jordan is 2.59 million. The active duty military strength of Syria is 394,000 and of Jordan is 80,000. The military reserves are 784,000 versus 110,000 in Jordan. Syria has 240 high quality aircraft to the 36 for Jordan that you have described. You add up this balance of forces, and what we are going to do if we pass this is not alter Jordan's ability to respond one iota to the kind of threat you describe. They have four air bases right near Syria. Syria has the most sophisticated air defense system in the region. Syria's ability to destroy everything that is involved in this proposed sale, preemptively or otherwise, is preeminent.

So, in effect, we are making a show, sending some kind of message that will have no real impact except as to the relationship with Israel. It seems to me that there are other ways of sending this message, Mr. Secretary, that would be less threatening and perhaps even ultimately more productive.

Secretary SHULTZ. Courageous people like King Hussein do not take your counsel of despair any more than the Israelis do. These are small countries, but they are proud, and they want to take part in their own defense. When people are fighting for their own country, their own independence, their own national rights, it turns out they fight pretty hard.

You could give some ratios of Afghans versus the Soviet Union that would be pretty discouraging. But the Freedom Fighters in Afghanistan are giving a hell of an account of themselves.

Now, the disadvantages that Jordan has you cite. Jordan has no idea of attacking Syria. That is not involved. What Jordan wants to prevent and what it wants to do is have a deterrent force that will say to the Syrians you've got to think twice or three times because you are not going to be able to establish immediate air superiority and because there are trained, professional, capable armed forces here who will give a good account of themselves.

Senator KERRY. Is there anything to guarantee Syria won't simply upgrade its offensive ability to meet whatever we give Jordan. It is not a counsel of despair, Mr. Secretary, it is a counsel of reality.

Secretary SHULTZ. But it is a counsel of despair. You say somebody else might do something to make themselves stronger, therefore we should not bother to look to our own security. I would reject that kind of thinking entirely. It applies to us, it applies to Jordan—it is a general proposition.

Senator KERRY. I know my time is up, Mr. Secretary.

I would just make this final comment. In 1970, when Syrian forces were massed on the Jordanian border, it was Israel that joined in the effort to threaten its involvement, and I understand Israeli jets even buzzed Syrian forces and were instrumental in sending a message.

It seems to me that if Hussein is serious about entering the peace process with Israel, his greatest defense ultimately against

Syria comes from a peaceful relationship with Israel. That has been proven in the past to work, and I think it might so possibly prove in the future.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Kerry.

Secretary Shultz, we thank you very much for your testimony today.

Senator SARBANES. Mr. Chairman, does the Secretary have to go?

The CHAIRMAN. Yes, he does.

Mr. Secretary, we appreciate your coming.

Thank you.

[Whereupon, at 11:18 a.m., the hearing was concluded.]

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